

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/520456
	Filing Date	January 6, 2005
	First Named Inventor	Roy G. GORDON
	Art Unit	N/A
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	Attorney Docket Number 42697.147 US2	

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input checked="" type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application  <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Combined Declaration and POA (5 pages) 2. Copy of Notification of Missing Requirements (2 pages) 3. Return Receipt Postcard
<div style="border: 1px solid black; padding: 5px; width: 150px; float: left; margin-right: 10px;">Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	WILMER CUTLER PICKERING HALE AND DORR LLP		
Signature	<i>Mary Rose Scozzafava</i>		
Printed name	Mary Rose Scozzafava		
Date	October 19, 2005	Reg. No.	36,268

Express Mail Label No. EV 622196963 US

Date of Deposit: October 19, 2005

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<p>Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</p> <h2 style="text-align: center;">FEE TRANSMITTAL</h2> <h3 style="text-align: center;">For FY 2005</h3>		<p><b>Complete if Known</b></p>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/520456
		Filing Date	January 6, 2005
		First Named Inventor	Roy G. GORDON
		Examiner Name	Not Yet Assigned
		Art Unit	N/A
TOTAL AMOUNT OF PAYMENT		(\$)	125.00
		Attorney Docket No.	42697.147 US2

**METHOD OF PAYMENT** (check all that apply)

☐ Check   
 ☐ Credit Card   
 ☐ Money Order   
 ☐ None   
 ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account   
 Deposit Account Number: 08-0219   
 Deposit Account Name: Wilmer Cutler Pickering Hale and Dorr LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below   
 ☐ Charge fee(s) indicated below, **except for the filing fee**

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17   
 ☒ Credit any overpayments

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims    Extra Claims    Fee (\$)    Fee Paid (\$)    Multiple Dependent Claims  
 \_\_\_\_\_    \_\_\_\_\_    \_\_\_\_\_    \_\_\_\_\_    Fee (\$)    Fee Paid (\$)

Indep. Claims    Extra Claims    Fee (\$)    Fee Paid (\$)  
 \_\_\_\_\_    \_\_\_\_\_    \_\_\_\_\_    \_\_\_\_\_

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____ / 50 _____ (round up to a whole number) x _____	_____	_____

**4. OTHER FEE(S)**

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): 2251 Extension for response within first month	60.00
2051 Surcharge-Late oath or declaration	65.00

<b>SUBMITTED BY</b>			
Signature	<u>Mary Rose Scozzafava</u>	Registration No. (Attorney/Agent)	36,268
Name (Print/Type)	Mary Rose Scozzafava	Telephone	(617) 526-6000
		Date	October <u>19</u> , 2005

10/25/2005 MKAYPAGH 00000108 080219 10520456

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Express Mail Label No. EV 622196963 US  
Date of Deposit: October 19, 2005

Rec'd PCT/PTO 19 OCT 2005

#4

Express Mail Label No. EV 622196963 US

Date of Deposit: October 19, 2005

Docket No.: 42697.147 US2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Roy G. GORDON et al.

Application No.: 10/520456 - Filed: January 6, 2005  
International Application No. PCT/US03/21281  
International Filing Date: July 9, 2003

Confirmation No.: 5616

Art Unit: Not Yet Assigned

For: VAPOR DEPOSITION OF TUNGSTEN  
NITRIDE

Examiner: Not Yet Assigned

**REPLY TO NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In reply to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office mailed July 22, 2005 (a copy of which is enclosed), Applicants respectfully submit a Combined Declaration and Power of Attorney executed by the inventors and a Petition for Extension of Time.

Please charge our Deposit Account No. 08-0219 in the amount of \$125.00 covering the fees set forth in 37 CFR 1.17(a)(1) and 1.16(f). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 08-0219, under Atty. Docket No. 42697.147 US2.

Dated: October 19, 2005

Respectfully submitted,

By Mary Rose Scozzafava

Mary Rose Scozzafava

Registration No.: 36,268

WILMER CUTLER PICKERING HALE AND  
DORR LLP

60 State Street

Boston, Massachusetts 02109

(617) 526-6000

Attorney for Applicant

**COPY**

## UNITED STATES PATENT AND TRADEMARK OFFICE

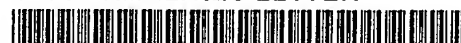
UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/520,456	FIRST NAMED APPLICANT Roy G GORDON	ATTY. DOCKET NO. / 42697.147 US2
INTERNATIONAL APPLICATION NO. PCT/US03/21281		
A. FILING DATE 07/09/2003		PRIORITY DATE 07/12/2002

23483  
 WILMER CUTLER PICKERING HALE AND DORR LLP  
 60 STATE STREET  
 BOSTON, MA 02109

CONFIRMATION NO. 5616

371 FORMALITIES LETTER



\*OC000000016382254\*

Date Mailed: 07/22/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/06/2005
- English Translation of the IA filed on 01/06/2005
- Copy of the International Search Report filed on 01/06/2005
- Information Disclosure Statements filed on 01/06/2005
- U.S. Basic National Fees filed on 01/06/2005
- Priority Documents filed on 01/06/2005

**WILMER CUTLER PICKERING  
 HALE and DORR LLP DOCKETING**  
 RE: 42697.147US2  
 Action Date: 7-22-05  
 Action to be Taken: MISSING PARTS  
 Docketed By: BMB On: 7-25-05

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/520,456	PCT/US03/21281	42697.147 US2

FORM PCT/DO/EO/905 (371 Formalities Notice)